

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3

4 George Arthur,
5 Plaintiff

6 v.

7 Brian Williams, et al.,
8 Defendants

Case No.: 2:18-cv-00754-JAD-GWF

Order Denying Motions for Injunctive Relief

[ECF Nos. 21, 22]

9 Pro se plaintiff George Arthur has moved for temporary and permanent injunctive relief.¹
10 He seeks an injunction preventing prison officials from housing him with protective-custody
11 inmates, inmates of different races, sex offenders, and homosexuals.² He also wishes to be
12 transferred to a state prison in Denver, Colorado.³

13 Injunctive relief, whether temporary or permanent, is an “extraordinary remedy, never
14 awarded as of right.”⁴ “A plaintiff seeking a preliminary injunction must establish that he is
15 likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of
16 preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the
17 public interest.”⁵ And, under the Prison Litigation Reform Act, preliminary injunctive relief
18 must be “narrowly drawn,” must “extend no further than necessary to correct the harm,” and
19 must be “the least intrusive means necessary to correct the harm.”⁶

20 I have reviewed both motions and find that Arthur fails to allege that he is likely to suffer
21 irreparable harm in the absence of preliminary relief. I recognize that Arthur has allegedly

22 ¹ ECF Nos. 21, 22.

23 ² ECF No. 22 at 4.

24 ³ *Id.*

25 ⁴ *Winter v. Natural Res. Defense Council*, 555 U.S. 7, 24 (2008).

26 ⁵ *Am. Trucking Ass’ns, Inc. v. City of Los Angeles*, 559 F.3d 1046, 1052 (9th Cir. 2009) (quoting
27 *Winter*, 555 U.S. at 20).


28 ⁶ 18 U.S.C § 3626(a)(2).

1 sought protection in prison in the past due to being labeled a “snitch.”⁷ I also acknowledge that
2 Arthur has had a cell mate whom he alleges sexually harassed him in 2017 and that Arthur has a
3 “fear of being raped, sexually assaulted, after being sexually harassed, by the inmates” that
4 prison officials forced him to cell with.⁸ But Arthur has previously alleged that prison officials
5 transferred him to another cell for his safety and security.⁹ So it does not appear that Arthur is
6 actually in danger of suffering irreparable harm, and he certainly has alleged any facts to
7 demonstrate that he is. His conclusory statements are insufficient to demonstrate imminence.

8 **Conclusion**

9 Accordingly, IT IS HEREBY ORDERED that the motions for injunctive relief [ECF
10 Nos. 21, 22] are DENIED.

11 Dated: June 25, 2018

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13 U.S. District Judge Jennifer A. Dorsey
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26 ⁷ See generally ECF No. 21-1.

27 ⁸ *Id.* at 5–6.

28 ⁹ ECF No. 1-1 at 7.